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09/869,542	10/05/2001	Heikki Suuronen	367.40268X00	4355

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EXAMINER

NGUYEN, NAM V

ART UNIT PAPER NUMBER

2635

DATE MAILED: 05/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/869,542

Applicant(s)

SUURONEN ET AL.

Examiner

Nam V Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 and 17-65 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 17-65 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 October 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 7-8.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### **DETAILED ACTION**

The application of Suuronen et al. for a "portable controller" filed October 5, 2001 has been examined.

This application claims foreign priority based on the application 9828877.2 filed December 31, 1998 in United Kingdom. Receipt is acknowledged of papers submitted under 35 U.S.C 119(a) – (d), which papers have been placed of record in the file.

This application claims priority to a 371 of PCT/IB99/02082, which is filed on December 23, 1999.

A preliminary amendment to the claims 5-6, 8, 10, 12-15, 21-22, 25 and 27-28 has been entered and made of record.

Claim 16 is cancelled. The new set of claims 30-65 are introduced.

Claims 1-15 and 17-65 are pending.

### ***Drawings***

This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

The drawings are objected to under 37 CFR 1.83(a) because they fail to label boxes (116) in Figures 1 and 2; fail to label boxes (20) in Figure 2 as described in the specification.

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The drawings are objected to under 37 CFR 1.83(a) because they fail to show "a port 104" as described in the specification

Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-15, 17-22, 27-39 and 47-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hammons (US# 5,791,407) in view of Evans et al. (US# 5,412,377).

Referring to claims 1 and 17-18, Hammons discloses an arrangement for configuring a device (70) (i.e. an air conditioner control) of a system (5) (i.e. a remote programmable heating and cooling system) by transferring control information from a controller (20) (i.e. a control unit) thereto (column 1 lines 39 to 58; see Figure 1), wherein the controller (20) (i.e. a remote control unit) comprises:

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Input means (22) (i.e. keys input) button) for receiving control information for configuring the device (66) (column 2 lines 39 to 49); and

Output means (not shown) for transferring to the system (5) retrieved control information for the device (70) (column 2 lines 39 to 49); and

Wherein the system (5) comprises:

Means (14 or direct connection) for coupling with the output means of the controller (20) to transfer retrieved control information to the system (5) (column 2 lines 50 to column 62); and

Control means (10) (i.e. a microprocessor) arranged to configure the device (70) in dependence upon the transferred control information (i.e. control signals) (column 2 lines 63 to column 3 line 11).

However, Hammons did not explicitly disclose a controller comprises a memory circuitry arranged to store and retrieve control information for configuring the device;

In the same field of endeavor of remote control program system, Evans et al. teach that a controller (10) comprises a memory circuitry (25) (i.e. a RAM) arranged to store and retrieve control information for configuring the device (not shown) (i.e. a remotely controlled device) (column 4 lines 22 to 37; see Figures 1-3) in order to perform the operation sessions on a daily or weekly basis without continued reprogramming by the user.

One of ordinary skilled in the art recognizes using a memory to stores information relating to programmed code sequences to be performed by controller of Evans et al. in the control unit of Hammons because Hammons suggests it is desired to program the keys used to select a function which the vehicle control system should be operated

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(column 2 lines 39 to 49) and Evans et al. teach that using a RAM and a ROM to stores information relating to programmed code sequences to be performed by controller when a select function key is press in order to control a particular function of a TV. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to use a memory to stores information relating to programmed code sequences to be performed by controller of Evans et al. in the control unit of Hammons with the motivation for doing so would have been to provide more specific choice and personal preferences of the functions in the control unit for the user.

Referring to claim 2, Hammons in view of Evans et al. disclose an arrangement as claimed in Claim 1, Hammons discloses wherein the system (5) comprises a plurality of devices (60 to 78) (i.e. vehicles devices) and the control means (10) is arranged to configure the devices (60 to 78) in dependence upon transferred control information (i.e. control signals) (column 2 line 63 to column 3 line 11; column 3 lines 22 to 60; see Figures 1 and 2).

Referring to claims 3 and 19, Hammons in view of Evans et al. disclose an arrangement as claimed in Claims 2 and 18, Hammons discloses wherein the controller (20) output means transfers to the system (5) retrieved control information for the devices (60 to 78) of the system (5), and the control means (10) configures the devices (60 to 78) in dependence upon the transferred control information (column 2 line 63 to column 3 line 11; column 3 lines 61 to 65; see Figure 1).

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Referring to claims 4 and 20, Hammons in view of Evans et al. disclose an arrangement as claimed in Claims 2 and 18, Hammons discloses wherein the controller (20) output means transfers to the system (5) retrieved control information for a selection of devices (60 to 78) of the system (5) defined by the user, and the control means (10) configures the selection of devices (60 to 78) in dependence upon the transferred control information (column 3 lines 66 to column 4 lines 36).

Referring to claims 5, 21 and 33-35, Hammons in view of Evans et al. disclose an arrangement as claimed in Claims 1 and 17-20, Evans et al. discloses wherein the memory circuitry (25) (i.e. a RAM) stores and retrieves control information corresponding to the user's personal preferences (i.e. user's program) (column 4 lines 22 to 37; column 6 lines 3 to 19; see Figures 2 and 3).

Referring to claims 6, 22, 30-32 and 36-39, Hammons in view of Evans et al. disclose an arrangement as claimed in Claims 1-4 and 17-21, Evans et al. discloses wherein the memory circuitry (25) (i.e. a RAM) stores and retrieves information identifying a particular system (5) and the control information only configures the device (i.e. channel or volume) or devices of that particular system (5) (column 6 lines 3 to 68; see Figures 2 and 3).

Referring to claim 7, Hammons in view of Evans et al. disclose an arrangement as claimed in Claim 7, Hammons discloses wherein the device or devices (60 to 78) are security devices (column 4 lines 23 to 36; see Figure 1).

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Referring to claim 8, Hammons in view of Evans et al. disclose an arrangement as claimed in Claim 1, Hammons discloses wherein the system (5) is a vehicle control system (column 1 lines 40 to 54; see Figure 1).

Referring to claim 9, Hammons in view of Evans et al. disclose an arrangement as claimed in Claim 8, Hammons discloses wherein the device or devices (60 to 78) are selected from devices (60 to 78) including an alarm, an immobilizer, a seat positioner, a mirror positioner, door/boot locks, temperature/ventilation controller, an engine management device, and servicing interface device (column 3 lines 22 to 43; see Figure 1).

Referring to claim 10, Hammons in view of Evans et al. disclose an arrangement as claimed in Claim 1, Hammons discloses wherein the controller (20) is removable from the environment of the system (5) (column 2 lines 50 to 56; column 5 lines 61 to column 6 line 11; see Figure 3).

Referring to claim 11, Hammons in view of Evans et al. disclose an arrangement as claimed in Claim 8, Hammons discloses wherein the controller (20) transfers retrieved control information to the system (5) when it enters the environment of the system (5) (column 5 lines 34 to 40).



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Referring to claim 12, Hammons in view of Evans et al. disclose an arrangement as claimed in Claim 1, Hammons discloses wherein the controller is a handportable radio device (column 2 lines 50 to 56; see Figure 3).

Referring to claims 13, 27 and 47-55, Hammons in view of Evans et al. disclose an arrangement as claimed in Claims 1 and 17-26, Hammons discloses wherein the means for coupling comprises an electrical connector of an IR or radio transceiver (column 2 lines 50 to 62; see Figure 3).

Referring to claim 14, Hammons in view of Evans et al. disclose an arrangement as claimed in Claim 1, Hammons discloses wherein the device (60 to 78) is electronically controlled by the system (5) (column 3 lines 22 to 43; see Figure 1).

Referring to claim 15, Hammons in view of Evans et al. disclose an arrangement as claimed in Claim 1, Hammons discloses wherein the system (5) comprises a processor (10) and memory (12) (column 2 line 63 to column 3 line 11; see Figure 1), wherein the memory (12) stores the transferred information and the processor (10) controls the operation of the device (60 to 78), reconfiguring it in dependence upon the received control information (i.e. control signals) (column 3 line 44 to column 4 lines 36; see Figure 2).

Referring to claims 28 and 56-65, Hammons in view of Evans et al. disclose a controller as claimed in Claims 17-27, Hammons discloses wherein the power (16 or 34)

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(i.e. battery) to operate said controller (20) is provided by the system (10) to which control information is transferred (column 2 lines 39 to 43; see Figure 1).

Referring to claim 29, Hammons in view of Evans et al. disclose an arrangement as claimed in Claim 1, Hammons discloses wherein configuring the device (60 to 78) changes the manner in which the device function (column 2 line 63 to column 3 line 11).

Claims 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hammons (US# 5,791,407) in view of Evans et al. (US# 5,412,377) as applied to claim 22, and in further view of Farleigh (US# 6,208,388).

Referring to claim 23-24, Hammons discloses a controller as claimed in claim 22, however, Hammons did not explicitly disclose wherein the memory circuitry comprises a look-up table for associating the identity of the system and its devices with the respective device control information.

In the same field of endeavor of remote control program system, Farleigh teaches that a memory circuitry (44) comprises a look-up table for associating the identity of the system (10) (i.e. a channel responsive television input signal interface circuit) and its devices (14) (i.e. a television) with the respective device control information (i.e. broadcast signals) (column 5 lines 11 to 39; column 37 to 64; see Figures 2B and 5) in order to store user selection program.

One of ordinary skilled in the art recognizes using a look-up table memory for storing a user channel selection program of Farleigh in a memory to stores information

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relating to programmed code sequences to be performed by controller of a remote control system of Hammons in view of Evans et al. because Hammons suggests it is desired to program the keys used to select a function which the vehicle control system should be operated (column 2 lines 39 to 49) and Evans et al. teach that using a RAM and a ROM to stores information relating to programmed code sequences to be performed by controller when a select function key is press in order to control a particular function of a TV and Farleigh teaches that using a look-up table memory to store associating the identity of a channel responsive television input signal interface circuit in order to reduce time for selection of the same program. Therefore, it would have been obvious to a person of ordinary skill in the art at the time of the invention was made to use a look-up table memory for storing a user channel selection program of Farleigh in a memory to stores information relating to programmed code sequences to be performed by controller of a remote control system of Hammons in view of Evans et al. with the motivation for doing so would have been to provide controller to select a controlled program quickly in a remote and programmable control system.

Claims 25-26 and 40-46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hammons (US# 5,791,407) in view of Evans et al. (US# 5,412,377) as applied to claims 17-24, and in further view of Farleigh (US# 6,208,388).

Referring to claims 25-26 and 40-46, Hammons discloses a controller as claimed in claims 17-24, however, Hammons did not explicitly disclose wherein said output

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means comprises means for establishing a bi-directional link with the system and for performing a handshaking procedure with the system.

In the same field of endeavor of remote control program system, Grube et al. teach that an output means (207 and 208) (i.e. a transceiver connects to a synthesizer 206) comprises means for establishing a bi-directional link with the system (300) (i.e. a remote database system) (column 3 lines 4 to 13; see Figure 1) and for performing a handshaking procedure with the system (300) (column 4 line 66 to column 5 line 20; see Figures 2-3) in order to communicate a control signal information and to utilize the same set of signaling information.

At the time the invention, it would have been obvious to a person of ordinary skill in the art to recognize the need for using a transceiver for linking with a remote site data base and for employing appropriate handshake mechanism of Grube et al. in a controller of a remote control system of Hammons in view of Evans et al. because using a bi-directional transceiver with appropriate handshake result would improve the reliable communication and increase functionality between a remote control device and the system that has been shown to be desirable in the controller of a remote control system of Hammons in view of Evans et al.

### *Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Bruwer et al. (US# 5,517,187) disclose a microchips and remote control devices comprising same.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nam V Nguyen whose telephone number is 703-305-3867. The examiner can normally be reached on Mon-Fri, 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Horabik can be reached on 703-305-4704. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Nam Nguyen  
April 19, 2004



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